



100,000 WATTS
FM STEREO 96.5

300 EAST SAVAGE • SHOW LOW, ARIZONA 85901 • STUDIO 520-537-2921 • FAX 520-537-2922

June 27, 1996

RECEIVED
JUN 28 1996
FCC - L ROOM

VIA FED EX

Mr William F Caton
Acting Secretary
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street NW Room 222
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Dear Mr Caton:

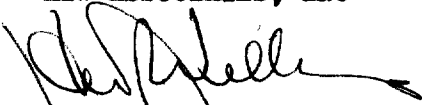
RE: EEOC COMMENTS MM Docket # 96-16

Inclosed are 15 copies (1 original and 14 photocopies) of the above referenced docket for your necessary action. I thank you for your assistance.

If you have any questions, please feel free to contact the undersigned.

Very truly yours,

KW ASSOCIATES, INC


HUGH J. WILLIAMS
President and GM

1 incl: a/s 15 copies

No. of Copies rec'd
List ABCDE

0214

"Where Your Friends Are!"

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

Streamlining Broadcast NBO
Rule and Policies, Vacating the NBO
Forfeiture Policy Statement
and Amending Section 1.80 of
the Commission's Rules to Include
NBO Forfeiture Guidelines

MM Docket FC 96-16

RECEIVED
JUN 28 1996
LHCC

COMMENTS TO THE ABOVE DOCKET

I, HUGH J. WILLIAMS, am the President of KRW ASSOCIATES, INC licensee of Radio Station KVSL (1974) and KRPM (1983). I am an uncontrolled diabetic 1985. The stress of this job gets worse by the month.

Sad to say, this rule making is some 20 years too late. Lets say not only has the horse escaped from the barn—but that horse has been buried out in the back forty 10 years ago. As a result, there are some 200,000 prospective broadcast employees not employed in radio-TV every year because of impossible constraints placed on broadcasters especially in the smaller markets. I started out with 15 employees for one station in 1974. Now I must try to operate with 4 employees keeping two stations on the air. I am the general manager, morning DJ, hands-on Chief Engineer for a 1000 watt AM and a 100,000 watt FM.

If that were not enough, I must look after 3 other employees—mostly sales and the traffic manager. I am most thankful for the Commission's Automatic Transmission System (ATS). Before that I had part-timers sleeping on the job while doing DJ work—within two hours after they came to work. People laying on the phone for hours or making Panda Bears with records running out until they got enough stitches into the article.

I tried hiring Native Americans who wouldn't work because I could not afford double time for Columbus Day or they lived some 60 miles from Show Low. (It is to be noted that in Arizona that if you live over 30 miles from work or if it takes you over 40 minutes to get to work—You can claim unemployment for compelling personal reasons. Most of the Apache people live at least to White-river = 48 miles from here.

I figure it takes at least 6 weeks and some \$900 expense to train any employee. The broadcast school graduates are usually trained in production which is only 5% of my need. Several I hired up to ten years ago didn't have the training to cue records—which of course are not used in present day radio. Its now CDs or satellite programs.

Because of the many problems, which I and other broadcasters faced month after month after month—we had no choice but to go satellite. The computer programs, which came 15 years late are the only reason the majority of small to medium broadcasters are still in business!! We have better control of the quality of music over our stations. Unsavory music would come from the DJs homes which I broke after wilful and repeated attempts to air this garbage.

Although the preceding is a horror story in itself, the major problem is the Sales Department of any station. Our area is a resort community. The people come up from the hot climates of Phoenix and Tucson. I've tried hiring minorities such as the Native Americans, Blacks, Chicanos etc. They said they could not earn a decent living because they felt, as salesman or saleswomen, they would not be accepted by the business community. I said.. "Please Try.. Give it a chance?" They said "No!"

Some time back we report^{ed} on the FCC form 395 "4 employees for ^KVSL" and "4 employees for KRPM". Now the form says we must use a consolidated report which is now 4 employees total. We tried long ago to recruit minorities through each minority's fraternal or educational group. It was a long, long arduous exercise which was very unproductive. I hired a reasonable number of minorities who were quite happy working here. They learned a lot and were very trainable; but the major problem was their lack of "night life". They felt they were like an animal in a cage and were most happy to get to the big city for which they were unprepared as they were still much inexperienced.

The continued problem with a short staffed sales department is that they want to set their own hours—the station, the employer and the advertiser be damned. Raiding sales people from other stations is the rule rather than the exception. Taking accounts lists, contact people at the businesses with phone numbers does not even affect the conscience of most of these job hoppers. They know the broadcaster is under the gun and all too many feel if 10 hours a week will get the job done (per their estimate)..why work 40 hours a week? In my opinion, the salesperson is the most valuable and the hardest to sustain; however with the multitude of welfare programs and the great number of part-time jobs available all too many potential good salesmen just do not have their heart into working a good satisfying full work week. As a result many salespeople are not contributing to the national economy (GNP).

I have been between a rock and a hard place in that when I hire a salesperson, I really don't know how productive a new salesperson will be. If I pay too much before they produce, they tend to stay home an inordinate amount of time. If I don't help them initially, they get discouraged and quit. If I could hire 4 to 6 more salespeople, they would have some comparison upon which to gauge themselves. If one or two would leave, it would not emaciate sales for several months until the new people can take over—if they can—like it does now. In the past, new employees would join the sales force then try to get on the air as a DJ. Now that I'm pretty much automated—they walk out when they are convinced that the only way to get on the air is through voicing the commercials which they had sold to the advertisers.

In short, the lesser of two evils now is to work long, long hours with hopefully dedicated key employees. My day begins at the stations at 4:30AM and usually until 7PM. Saturday and Sunday may be 5 to 6 hours minimum and hoping I don't have major equipment problems since we are located in the second highest lightning area in the whole US (after the Florida Everglades). I no longer can afford to spend huge amounts of time recruiting—timewise or healthwise.

I strongly believe the present NBOC problems are a primary reason stations are now in deep financial trouble—is it 65% in the red? All too many people feel broadcasters become rich and retire rich. Oh! How I wish it were so!!!

For too many broadcasters, an NBOC fine could sound the death knell. These broadcasters try hard to recruit not the very best but to hire deserving-- often unqualified employees hoping they will work hard and stay with the employer for a long time. This is hard for out of town applicants but there is no guarantee that long time local residents will not depart within several months. Over the years I've interviewed prospective employees from Job Service. If I say "You are not quite what we need and you do not have a vehicle." They have a big smile, have me sign their unemployment form and go back to the unemployment office. On the other hand, if I tell them to report for work Monday morning they look at me like I've just sentenced them to the firing squad-- or even before the firing squad. Today, there are just too many people who do not want to work hard or be accountable for their work ethics.

Up to several years ago, I hired college and high school students with the understanding that they could do their homework here while placing the automation and the equipment operation first on their attentive duties. We had a lightning storm. A college sophomore was reading a science fiction book for some 20 minutes before lightning wiped out the AM transmitter he could have switched early on (from a transistor transmitter which didn't like lightning to a tube type transmitter). A high school student, after 6 weeks, quit because her presence here was crippling her school social activities. She worked Saturday and Sunday from noon to 6PM.

I hope I have not been too long with these comments but I strongly feel that the current NBOC policies have hamstrung the broadcaster for all too long a period of time. It has severely damaged the industry over some 27 years. I feel it will never recover. I also strongly feel that all too many good prospective broadcasting employees have been turned away from a good living just because of an unfortunate practice left to fester. Have broadcasters been forced to make poor business decisions when newly hired employees left with 4 to 6 weeks on the payroll to go to larger markets? The recruiting would have to start all over at square one--again and again and again. This must be stressful, expensive, and demoralizing to the remaining employees expecting to work with their peers as a team over a reasonably long period of time.

My recommendations are as follows:

a. Increase the present "under 5" limit to "up to 6 employees per station given 24 hour operations, 7 days a week. (Would not include stations using "voice mail" without call forwarding.)

b. That any full-time salesperson not be counted in the present NBOC count as they are subjected to the market place, are pretty much on their own time although under the dictates of FCC and station policies and rules. As a rule they must attend one or more in-station sales meetings and are in the station to produce their ads for the advertisers and then leave for more sales calls. In most cases they do no other station duties unless they want to volunteer in after hour community public service activities which usually help their sales exposure..

Respectfully submitted:

KBW ASSOCIATES, INC


HUGH J. WILLIAMS
President and GM

Radio Stations KVSL/KRPM
300 E Savage St
Show Low, Az 85901
520-537-2921 FAX 537-2922

June 27, 1996